(G.C.P.)J 455 (5,00,000)-11.2001) Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Civil Application No.27 of 2006
in
Family Court Appeal St.No.2333 of 2006

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions and Registrar's order.	Court's or Judge's orders

Applicant is present in person.

Respondent is present in person.

CORAM: R.M.S.KHANDEPARKAR
&
SMT.R.S.DALVI, JJ

DATED: 21ST MARCH, 2006.

P.C.

1. Heard the applicant and the respondent in person. Perused the application.

2. This is an application for condonation of delay in filing the appeal against the judgment passed by the family Court. The main grievance of the applicant in the appeal is that though the divorce asked for on the ground of cruelty has been granted, various other reliefs prayed for including the permanent alimony, custody of

the children, etc. have not been granted. It is the case of the applicant that she was trying to engage the services of the advocate to represent her in the appeal. However, she could not get any assistance in that regard, and in the process, there was delay in filing the present appeal. There is no counter filed by the respondent to the application for condonation of delay. The respondent in person has submitted that the applicant is in the habit of agitating the same points again and again, and therefore, the respondent has not filed any reply to the application. All said and done, the fact remains that the applicant has disclosed certain facts as being the cause for condonation of delay in filing the appeal, and the said facts have not been countered by the respondents, and the same reveal sufficient cause for condonation of delay in filing the family court appeal. Hence, the delay of 49 days in filing the appeal is condoned. The appeal is directed to be registered and on completion of registration of the appeal, the same to be fixed for hearing on admission. The application accordingly stands disposed of.

(SMT.R.S.DALVI, J) (R.M.S.KHANDEPARKAR,J)